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**Subject:** Microsoft Settlement

An episode from the 1996 Caldera v. Microsoft antitrust lawsuit illustrates how Microsoft has used technical means anticompetitively.

The judge in the case ruled

<<http://www.kegel.com/remedy/archive/final4.html>> that

"Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

That case was settled out of court in 1999, and no court has fully explored the alleged conduct.

The concern here is that, as competing operating systems emerge which are able to run Windows applications, Microsoft might try to sabotage Windows applications, middleware, and development tools so that they cannot run on non-Microsoft operating systems, just as they did earlier with Windows 3.1.

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities.

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